

PATENT

Atty. Dkt. No. ATT/2000-0636

REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application is anticipated under the provisions of 35 U.S.C. §102 or made obvious under the provisions of 35 U.S.C. §103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIMS 1-4, 7, 10, 12, 14-16, 19-23, 26, 29, 31, 33-35, AND 38-39 UNDER 35 U.S.C. §102

The Examiner has rejected claims 1-4, 7, 10, 12, 14-16, 19-23, 26, 29, 31, 33-35, and 38-39 in the Office Action under 35 U.S.C. §102 as being anticipated by the Crane patent (U.S. Patent 6,381,533, issued April 30, 2002, herein referred to as Crane). The Applicants respectfully traverse the rejection.

Crane discloses a data collection system that matches the positions of one or more cellular phones to data indicating the locations of roads in a geographic area to derive data about phones located in vehicles traveling along the roads. The data about phones located in vehicles traveling along the roads are used for updating or refining a geographic database, traffic monitoring and reporting, or for other purposes (see Crane, Abstract).

The Examiner's attention is directed to the fact that Crane fails to teach or to suggest a method or system for deriving information based on activities of a plurality of mobile devices that also provides a customized service to at least one mobile device, as positively claimed by the Applicants. Specifically, the Applicants' amended independent claims 1, 19, 20, and 38-39 positively recite:

1. A method of deriving information based on activities of a plurality of mobile devices, the method comprising:
tracking movement of a plurality of mobile devices across a wireless network;
identifying a group of mobile devices utilized in a common location-based activity from the plurality of mobile devices based on the tracked movement;
determining a group property associated with the group of mobile devices; and
providing a customized service derived from said tracked movement to at least one mobile device of the group. (Emphasis added)

19. A method of deriving information based on activities of mobile devices, the method comprising:
tracking the mobile devices across one or more wireless networks;

PATENT

Atty. Dkt. No. ATT/2000-0636

identifying a group of mobile devices sharing one or more common traits from the mobile devices;
determining one of a group condition and a group property of the identified group of mobile devices; and
providing a customized service derived from the one or more common traits to at least one mobile device of the identified group. (Emphasis added)

20. A system for deriving information based on the activity of mobile devices, the system comprising:
memory medium for maintaining information corresponding to a movement of mobile devices in order to track the movement of mobile devices; and
at least one processor for identifying a group of mobile devices utilized in one or more common location-based activities from the mobile devices based on the tracked movement, for determining a group property associated with the group of mobile devices, and for providing a customized service derived from said tracked movement to at least one mobile device of the group. (Emphasis added)

38. A system for determining group characterization of mobile devices based on the activity of the mobile devices, comprising:
memory medium for maintaining information on the mobile devices to track the mobile devices; and
at least one processor for identifying a group of mobile devices sharing one or more common traits from the mobile devices, for determining one of a group condition and a group property of the identified group of mobile devices, and for providing a customized service derived from the one or more common traits to at least one mobile device of the identified group. (Emphasis added)

39. A method of deriving information based on activities of a plurality of mobile devices, the method comprising:
tracking movement of a plurality of mobile devices operating mobile communication devices, across a wireless network;
identifying a group of mobile devices traveling around a particular area;
determining a group velocity associated with the group of mobile devices;
deriving a traffic condition around the particular area based on the determined group velocity; and
providing a customized service derived from said traffic condition to at least one mobile device of the group. (Emphasis added)

In one embodiment, the Applicants' invention tracks a plurality of mobile devices and identifies a group that shares a common trait from the plurality of mobile devices. The embodiment then determines a group property associated with the group of mobile user devices. Lastly, the embodiment of the invention provides a customized service derived from the common trait to at least one mobile device of the group. The provision of the customized service to one or more mobile user devices of a designated group may be derived from the common trait and then supplied by a host server (see Applicants' specification, page 9). Customized services may be, but are not limited to, the determination and provision of alternative routes in the event of traffic congestion,

PATENT

Atty. Dkt. No. ATT/2000-0636

providing traffic news services, and the like (see Applicants' specification, page 24). Namely, the host server performs the additional task of processing the common trait information to then generate interested information in the form of a customized service, where the interested information, e.g., alternate route, is provided or transmitted to the mobile user device.

Conversely, Crane fails to disclose the provision of a customized service in any form or manner. In addition, the Applicants concur with the Examiner that Crane fails to disclose the novel feature of providing a customized service to at least one mobile user device of the group based on a derived traffic condition (see Office Action, page 9, section 3). Thus, the Applicants respectfully submit that independent claims 1, 19, 20, and 38-39 are not anticipated by the teaching of Crane and are therefore patentable under 35 U.S.C. §102.

Since claims 2-4, 7, 10, 12, 14-16, 21-23, 26, 29, 31, and 33-35 depend, either directly or indirectly, from claims 1, 19, 20, and 38-39 and recite additional features thereof, the Applicants submit that claims 2-4, 7, 10, 12, 14-16, 21-23, 26, 29, 31, and 33-35 are also not anticipated by the teachings of Crane. Therefore, the Applicants submit that claims 2-4, 7, 10, 12, 14-16, 21-23, 26, 29, 31, and 33-35 also fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

II. REJECTION OF CLAIMS 5-6, 8-9, 11, 13, 17-18, 24-25, 27-28, 30, 32, AND 36-37 UNDER 35 U.S.C. §103

The Examiner has rejected claims 5-6, 8-9, 11, 13, 17-18, 24-25, 27-28, 30, 32, and 36-37 in the Office Action under 35 U.S.C. §102 as being unpatentable over Crane in view of the Myr patent (U.S. Patent 6,480,783, issued November 12, 2002, herein referred to as Myr). The Applicants respectfully traverse the rejection.

Crane has been discussed above.

Myr teaches a system and method for real time vehicle guidance by Central Traffic Unit. The disclosed vehicle Guidance System includes a plurality of vehicles equipped with Individual Mobile Units including GPS units (position determining systems adapted to determine their present position) and communicatively linked to the Central

PATENT

Atty. Dkt. No. ATT/2000-0636

Traffic Unit computer server. The Central Traffic Unit broadcasts the collected traffic patterns in real time thereby enabling the Individual Mobile Units to dynamically calculate the desired optimal travel paths. In response to a request from a driver for a route update from his present position to a desired destination, the Individual Mobile Unit searches for an optimal (usually fastest) route and shows it to the driver (see Myr, Abstract). In other words, the Central Traffic Unit only provides raw collected data, and it is up to the individual mobile unit to generate the interested data.

The Examiner's attention is directed to the fact that Crane in view of Myr fails to disclose or suggest a method or system for deriving information based on activities of a plurality of mobile devices that provides a customized service derived from the common trait to at least one mobile user device, as claimed in Applicants' independent claims 1, 17, 20, and 36. Specifically, the Applicants' amended independent claims 17 and 36 (claims 1 and 20 are reproduced above) positively recite:

17. A method of providing a service to a plurality of mobile devices, the method comprising:
tracking the mobile devices across a wireless network;
identifying a group of mobile devices sharing one or more common traits from the mobile devices; and
providing a customized service to at least one mobile device of the group of mobile devices derived from the one or more common traits. (Emphasis added)

36. A system for providing a customized service to mobile devices, comprising:
memory medium for maintaining information corresponding to the mobile devices in order to track the mobile devices; and
at least one processor for identifying a group of mobile devices sharing one or more common traits from the mobile devices and facilitating provision of a customized service to at least one mobile device of the group derived from the one or more common traits. (Emphasis added)

The Examiner's attention is directed to the fact that the Individual Mobile Units disclosed in Myr are responsible for calculating the desired optimal travel paths (i.e., the customized service provided) after receiving traffic pattern data broadcasted by the Central Traffic Unit. More specifically, the optimal travel paths are directly provided at the individual "car level" by each respective Individual Mobile Unit. Conversely, the Applicants' invention transmits the customized service directly to the appropriate individual mobile device. In other words, it is not necessary for the mobile unit to

PATENT

Atty. Dkt. No. ATT/2000-0636

process the raw collected data, because the host server has already derived the "interested information" and is transmitting that information to the mobile devices as a customized service.

Thus, the Applicants submit that the combination of Crane and Myr fails to teach or suggest the claimed invention as a whole. The Examiner concedes that Crane fails to teach the novel feature of providing customized service to at least one mobile device of the group based on the derived traffic condition. Consequently, the Applicants submit that the substantial gap existing between the present invention and Crane is not bridged by the teachings of Myr. Like Crane, the Myr reference fails to disclose or suggest the provision of a customized service to at least one mobile user device, as described by the Applicants' invention.

Since the combination of Crane and Myr fails to teach or suggest the invention as set forth in claims 1, 17, 20 and 36, the Applicants submit that these independent claims fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

Since claims 5-6, 8-9, 11, 13, 18, 24-25, 27-28, 30, 32, and 37 depend, either directly or indirectly, from claims 1, 17, 20 and 36 and recite additional features thereof, the Applicants submit that claims 5-6, 8-9, 11, 13, 18, 24-25, 27-28, 30, 32, and 37 are also not made obvious by the teaching of Crane in view of Myr. Therefore, the Applicants submit that claims 5-6, 8-9, 11, 13, 18, 24-25, 27-28, 30, 32, and 37 also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder.

PATENT

Atty. Dkt. No. ATT/2000-0636

Conclusion

Thus, the Applicants submit that claims 1-39 now fully satisfy the requirements of 35 U.S.C. §102 and §103. Consequently, the Applicants believe that these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

11/26/04

Kin-Wah Tong, Attorney
Reg. No. 39,400
(732) 530-9404

Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Shrewsbury, New Jersey 07702